



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2307973  
**Applicant Name:** Brittani Ard for Creative Construction  
**Address of Proposal:** 1915 North 133<sup>rd</sup> Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are:  
A) 6,549.1 sq. ft. and B) 5,400.4 sq. ft. Existing single family residence to remain.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into two parcels.  
(Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving  
another agency with jurisdiction

**BACKGROUND DATA**

Site & Area Description

This 11,949.7 square foot (sq. ft.) project site is located in a Single Family residential zone with a minimum lot size of 7,200 square feet (SF 7200). The parcel is a rectangular-shaped lot located on the south side of North 133<sup>rd</sup> Street and across the street from Helene Madison Pool. An existing house resides on the site. The subject lot is relatively flat. North 133<sup>rd</sup> is a paved roadway with sidewalks, curbs and gutters on both sides of the street. The subject site is not located within any identified or designated Environmentally Critical Area. North 133<sup>rd</sup> Street is classified as a non-arterial Street, pursuant to SMC Chapter 23.53. Surrounding properties and blocks are also zoned SF 7200. Development in the area consists of Ingraham High School just west of the subject site and a variety one and two-story single-family houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

### Proposal

The proposal is to subdivide one parcel of land into two (2) lots. Proposed lot areas are indicated in the summary above. Both proposed Parcel A and Parcel B will have direct access to North 133<sup>rd</sup> Street. The existing single family residence with an attached garage will remain.

No development or construction activities are associated with the current proposal. The subject of this analysis and decision is restricted to the proposed division of land.

### Public Comment

During the public comment period which ended March 3, 2003, DPD received three written comments. The neighbors voiced concerns related to future parking and access impacts on North 133<sup>rd</sup> Street; negative impacts to neighboring property values; and increased water drainage and soil erosion onto neighboring properties.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 7,200 square feet. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 notwithstanding. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setbacks are five (5) feet. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred twenty five feet (125'), 20% of lot depth.

This short subdivision was submitted on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are "[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone". Seventy-five (75) percent of the minimum lot size of the SF 7200 zone is 5,400 square feet. Eighty percent of the mean lot sizes of the lots on the subject block face between North 133<sup>rd</sup> Street and the parcel addressed as 1901 North 133<sup>rd</sup> Street at the end of the dead end street, exclusive of the subject lot, is 5,016.52 square feet, according to information submitted in the application. The proposed lot areas of Lots A and B, 6,549.1 and 5,400.4 square feet respectively, are greater than eighty percent of the mean lot area of the lots on the same block face (5,016.52 sq. ft.) and greater than seventy-five percent of the minimum required lot area (5,400 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010.B.1.b.

The lots created by this proposed division of land will conform to all development standards of the SF 7200 zoning designation. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed Parcels A and B will have direct vehicle access to North 133<sup>rd</sup> Street. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. However, City Light did note that the electrical meter for the existing house addressed as 1915 North 133<sup>rd</sup> Street is located at the northeast corner of the property in the City of Seattle street right-of-way. The service to the house cuts across the new Parcel B which is the jurisdiction of DPD and City Light has no jurisdiction beyond the meter. Therefore, the electrical meter for the existing house must be relocated somewhere on Parcel A and the short plat will be conditioned to address this issue. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on January 30, 2004 (WAC ID No. 2004-0091).

The existing structure located upon proposed Parcel A is connected by means of a single sidesewer to an 8-inch diameter public sanitary sewer (PSS) located in North 133<sup>rd</sup> Street. Because the sidesewer serving the existing structure will be partially located upon proposed Parcel B, a sidesewer easement will be required as a condition of the short plat.

An 8-inch diameter culvert on the near side of North 133<sup>rd</sup> Street is available for stormwater discharge from both proposed parcels. This area is part of the Densmore Drainage Basin. Plan review requirements will be made at the time of the building permit application in accordance with any applicable stormwater ordinances in effect at that time.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are fourteen (14) trees located on the site. Most of these trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. No trees will likely be removed from parcel A, and possibly three (3) trees will be removed from parcel B, as the trees are located in or near the required yards out of the buildable area. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

## **DECISION - SHORT SUBDIVISION**

The proposed short plat is **CONDITIONALLY GRANTED**.

## **CONDITIONS - SHORT SUBDIVISION**

### **Prior to Recording**

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

3. Insert the following on the face of the plat; "Tree removal or tree topping of regulated trees on this property is prohibited pursuant to SMC 25.11.040. Exemptions to this restriction pursuant to SMC 25.11.030 may apply. Tree preservation and planting options and landscaping requirements of Seattle, Municipal Code 23.44.008 require trees for new single-family development."
4. Specify the location, description and removal of all trees at least 6" in diameter measured 4.5' above the ground, with correct species indicated on the face of the plat.
5. Add the conditions of approval to the face of the plat.
6. Include a utility easement from proposed Parcel B to proposed Parcel A to allow for the sidesewer serving the existing house addressed as 1915 North 133<sup>rd</sup> Street to be partially located upon proposed Parcel B. This sidesewer easement "along the line-as-constructed" should be recorded with King County.
7. Include a side yard easement from Parcel B for the benefit of Parcel A that allows for the structure located on Parcel A to encroach into its required 5' side yard setback area.
8. Insert the following on the face of the plat; "Owner of Parcel A must relocate electrical meter located in the City of Seattle right-of-way onto their premises."

Prior to the Individual Transfer or Sale of Lots

9. Remove the portion of structure over the property line (deck and concrete porch) prior to sale, purchase, or other ownership transfer of any of the parcels.
10. The electrical meter servicing the structure on Parcel A located in the City of Seattle right-of-way must be relocated onto their premises.

After Recording and Prior to Issuance of a Building Permit

9. Attach a copy of the recorded subdivision to all future building permit application plans.

Prior to Final Inspection of a Building Permit

10. The electrical meter located in the City of Seattle right-of-way serving the existing structure located on Parcel A must be relocated prior to final inspection of a new single family residence located on Parcel B.

Signature: \_\_\_\_\_ (signature on file) Date: June 3, 2004

Tamara Garrett, Land Use Planner

Department of Planning and Development

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